

# EXHIBIT 3

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

ALEK SCHOTT

*Plaintiff,*

v.

JOEL BABB, in his individual and official capacity; MARTIN A. MOLINA III, in his individual and official capacity; JAVIER SALAZAR, in his individual and official capacity; and BEXAR COUNTY, TEXAS,

*Defendants.*

Civil Action No. 5:23-cv-706-OLG-RBF

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**PLAINTIFF'S SECOND SET OF REQUESTS FOR PRODUCTION TO DEFENDANTS**

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Plaintiff Alek Schott serves this Second Set of Requests for Production to Defendants.

**INSTRUCTIONS**

1. All responses and objections must comply with Federal Rule of Civil Procedure 34 and all other applicable rules.
2. In general, these requests do not seek privileged information or attorney work product. However, if you assert that information responsive to a request is privileged, identify each piece of information that you contend is privileged and state the basis for your contention that the privilege applies. In other words, produce a privilege log.
3. If you acquire information not included in your initial responses but within the scope of these requests, supplement your responses as required by Federal Rule of Civil Procedure 26(e)(1).
4. When responding to these requests, use the definitions below. If no definition is provided, use the common or dictionary definition of the term.
5. Unless otherwise stated, these requests seek only information about events from January 1, 2020, through the present.

6. Please contact Plaintiff's counsel in writing if anything in this document is unclear to you in any way.
7. Plaintiff's First Set of Requests for Production ended with Request for Production 36. To facilitate easy reference later, this second set of requests for production begins with Request for Production 37.

### **DEFINITIONS**

1. "And" and "or" mean "and/or" whenever required to provide the fullest breadth of meaning.
2. "BCSO" means Bexar County Sheriff's Office, including its officers, agents, employees, subsidiaries, affiliates, and anyone else acting within its control and on Bexar County Sheriff's Office's behalf—past or present.
3. "Communication(s)" means any oral, written, or electronic transmittal of information, by and to whomever made, including correspondence, dialogues, meetings, discussions, interviews, consultations, agreements, and all other understandings between or among two or more persons.
4. "Concerning" means relating to, referring to, regarding, describing, evidencing, or constituting.
5. "Crime," unless otherwise stated, means any violation of the law, including any state or federal criminal or civil offense.
6. "Defendants" means Joel Babb, Martin A. Molina III, and Bexar County, Texas.
7. "Document(s)" means any medium containing information in the broad sense of Federal Rule of Civil Procedure 34(a), such as drawings, graphs, charts, photographs, sound recordings, video recordings, digital files, images, data, data compilations, electronic mail, text messages, and voicemails. A draft or non-identical copy of a document (including copies bearing distinct annotations or comments) is a separate document. This definition expressly includes documents and communications stored in or transmitted via the NCIC/TCIC computer system, Brazos electronic ticket writing system, any BCSO officer's mobile laptop unit, and any BCSO officer's cellphone.

8. “Identify” means:
  - a. When used in conjunction with a person or other entity: to provide the name, address, telephone number, and e-mail address of the person or entity; and for a person, the current place of employment, if known;
  - b. When used in reference to documents: to specify the contents of the documents in sufficient detail (e.g., title of document, author, date prepared, and description of contents) to permit a person to locate and recognize the document. Please identify the current custodian of each document by providing that person’s name, address, telephone number, and e-mail address;
  - c. When used with respect to a date, event, thing, or set of facts: to describe with specificity the facts, event, date, or thing sought through the request.
9. “Includes” means “includes, but is not limited to.”
10. “Including” means “including, but not limited to.”
11. “Person” means any natural individual, corporation, limited liability company, partnership, proprietorship, association, organization, group of persons, and any other business, legal, or governmental entity or institution.
12. “Plaintiff” means Alek Schott.
13. “Relating” and “referring” mean having any connection to, referencing, addressing, concerning, describing, evidencing, or constituting, whether the connection is direct or indirect.
14. “County” means Bexar County, Texas, including its offices, officers, agents, employees, subsidiaries, affiliates, and anyone else acting within its control and on the County’s behalf—past or present.
15. “You” or “your” refer to Defendants and all other persons acting or purporting to act on Defendants’ behalf, including agents and employees—past or present.
16. “All” and “each” shall be construed as “all and each,” so as to provide the fullest breadth of meaning.
17. The use of the singular form of any word includes the plural form and vice versa.

## **REQUESTS FOR PRODUCTION**

### **Request for Production 37**

All documents that Defendant Babb has used or currently uses in his role at the Bexar County Sheriff's Office Training Academy to instruct on traffic stops and searches.

### **Request for Production 38**

All documents relating to the investigation of the traffic stop and search of Plaintiff on March 16, 2022, referenced on BC002161—including the investigative report due September 12, 2023, referenced on BC002160 and the investigative report due December 11, 2023, referenced on BC002225.

### **Request for Production 39**

All documents identifying the mission, goals, structure, or activities of BCSO's Special Enforcement Unit applicable from January 1, 2022, to present.

### **Request for Production 40**

All documents concerning reports on BCSO's criminal interdiction activities and the results of those activities, including any such reports submitted to the Bexar County Commissioners Court or used to support budget requests.

### **Request for Production 41**

All documents concerning the budget and funding of the Special Enforcement Unit.

### **Request for Production 42**

All documents and communications—including meta data—reflecting access to and revision of SPEARS Incident Summary BCS220059233.

### **Request for Production 43**

All documents concerning BCSO's use of dog sniffs during traffic stops, including any records or reports reflecting deployment of dogs to sniff vehicles and the results of those sniffs.

### **Request for Production 44**

All SPEARS Incident Summaries and corresponding incident reports for traffic stops with reports by BCSO Officer Joe Gereb from January 1, 2022, to May 2, 2022.

### **Request for Production 45**

All documents relating to performance evaluation records for Defendant Joel Babb.

**Request for Production 46**

All documents relating to the performance evaluation of Defendant Martin A. Molina III.

**Request for Production 47**

All documents relating to the performance evaluation of BCSO Officer Joe Gereb.

**Request for Production 48**

All documents relating to the performance evaluation of BCSO Officer Pete Gamboa.

**Request for Production 49**

All documents relating to Defendant Martin A. Molina III's certification as a dog handler, including any certification of Defendant Molina with Maximus, the dog that sniffed Plaintiff's car on March 16, 2022.

**Request for Production 50**

All documents relating to BCSO Officer George Herrera's certification as a dog handler, including any certification of Officer Herrera with Maximus, the dog that sniffed Plaintiff's car on March 16, 2022.

**Request for Production 51**

All documents and communications relating to changing Maximus's handler from BCSO Officer George Herrera to Defendant Martin A. Molina III.

**Request for Production 52**

All computer-aided dispatch or CAD records for Defendant Joel Babb, Defendant Martin A. Molina III, and Officer Joe Gereb for March 16, 2022.

Dated: December 13, 2023

Respectfully submitted,

/s/ Christen Mason Hebert

**Christen Mason Hebert**

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*\*Admitted Pro Hac Vice*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 13, 2023, a true and correct copy of the foregoing Plaintiff's Second Set of Requests for Production was served via e-mail on the following counsel of record:

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/s/ Christen Mason Hebert  
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*Attorney for Plaintiff*